

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**JOSHUA MODE, ROBERT
JOHNSTON, ROCKY MAKOVY,
AND TERRY STITES**

Plaintiffs,

v.

**THE KANSAS CITY SOUTHERN
RAILWAY COMPANY,**

Defendant.

Case No. CIV-13-069-RAW

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff, Joshua Mode (“Plaintiff”) and his counsel, hereby give notice that all of Mr. Mode’s claims against Defendant The Kansas City Railway Company in the above-captioned matter will hereby be *dismissed with prejudice*. The parties shall bear their own attorneys’ fees and costs. The Court retains jurisdiction to enforce settlement terms.

So Stipulated this 20th day of January, 2014:

/s/ Christopher H. Leach

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So Ordered:

WHITE, U.S. District Judge